

2005) (noting that the considerations included in § 3583 by the incorporation of § 3553 "are fairly broad, but they do impose a real restriction on the district court's freedom to impose conditions on supervised release."). *See also United States v. Zobel*, 696 F.3d 558, 577 (6th Cir. 2012) (collecting cases).

Conditions of supervised release must be supported by some evidence that the condition imposed is tangibly related to the circumstances of the offense, the history of the defendant, the need for general deterrence, or similar concerns. *United States v. Voelker*, 489 F.3d 139, 144 (3d Cir. 2007) citing *Pruden*, 398 F.3d at 248-49. "[A] condition with no basis in the record, or with only the most tenuous basis, will inevitably violate § 3583(d)(2)'s command that such conditions involve no greater deprivation of liberty than is reasonably necessary." *Id.* at 249. Accordingly, "courts of appeals have consistently required district courts to set forth factual findings to justify special probation conditions." *United States v. Voelker*, 489 F.3d 139, 144 (3d Cir. 2007) quoting *United States v. Warren*, 186 F.3d 358, 366 (3d Cir. 1999); *see also Voelker*, 489 F.3d 139, 144 (3d Cir. 2007) (finding that conditions must be narrowly tailored, including the term length of any condition).

Should this Court find any term of supervised release is appropriate for the defendant, the defendant respectfully requests that such a term, and any conditions are narrowly tailored to her specific conduct and personal characteristics, and that the Court make the necessary factual findings to support any conditions of release and their term.

Conclusion

For the reasons set forth above, the defendant respectfully requests that this Court narrowly tailor any conditions of supervised release, including the term-length of any conditions.

Respectfully submitted this 6th day of May, 2022,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of May, 2022, I electronically filed the foregoing Defendant's Response to Government's Position with Respect to Sentencing with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

By: /s/ Charles Swift
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